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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,984	11/26/2001	Shunichi Seki	111184	4300

25944 7590 11/24/2003

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EXAMINER	
DOLAN, JENNIFER M	
ART UNIT	PAPER NUMBER
2813	

DATE MAILED: 11/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/991,984	SEKI ET AL.	
	Examiner	Art Unit	
	Jennifer M. Dolan	2813	

-- The MAILING DATE of this communication appears on the cover sheet with the c rrespondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 September 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21 and 23-38* is/are pending in the application.

4a) Of the above claim(s) *1-11* is/are withdrawn from consideration.

5)☒ Claim(s) *12-16,19-21 and 23-38* is/are allowed.

6)☒ Claim(s) *17* is/are rejected.

7)☒ Claim(s) *18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *17* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

1. This application contains claims 1-11, drawn to an invention nonelected with traverse in Paper No. 9. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 17 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 5,903,246 to Dingwall.

Dingwall discloses an organic EL device comprising: a first and second set of electrodes (anode layers for OLED devices in optically active area P1-P480 and in dummy area Pr respectively, see figs. 1 and 2); an organic EL layer (organic layers; figure 1) formed above each of the first and second set of electrodes (see figures 1 and 2; column 4, lines 55-60); an effectively optical area (P1-P480) in which the first set of electrodes is formed; and a dummy area (Pr) disposed around the effectively optical area (figure 2) and not over the first set of electrodes in which the second set of electrodes is formed (implicit in that P1-P480 and Pr all comprise O-LEDs, and the O-LED structure is given as in figure 1), the organic EL layer being disposed on the second set of electrodes (figure 1). Insofar as 'around' is interpreted as meaning 'completely around' or surrounding,' Dingwall fails to disclose that the dummy area is completely around the optical area.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to dispose dummy pixels on either side of each column, such that the dummy area 'completely surrounds' the optical area. The rationale is as follows: A person having ordinary skill in the art would have been motivated to provide dummy pixels on either end of the column, because the dummy pixel will either emit light in an uncontrolled and non-desirable fashion, or the dummy pixel must be obscured by an opaque material, causing a dark spot (see column 5, lines 45-67). It is apparent to one skilled in the art that the dummy pixel is ideally provided at either end of a pixel column, outside of the display region, so that its emissions or covered region will not substantially interfere with the display. Since the dummy pixel is connected in parallel with all of the pixels in the column (see figure 2), it is well within the purview of a person having ordinary skill in the art to place the dummy pixel at either end of each column.

Allowable Subject Matter

3. Claims 12-16, 19-21, and 23-38 are allowed.

4. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is an examiner's statement of reasons for allowance:

The primary reason for allowance is that although the general concept of providing "dummy pixels" or "dummy regions" is known in the art, generally the prior art teaches "dummy pixels" which are structured identically to an active pixel, and which emit light. The prior art,

however, fails to suggest any specific disposition of dummy pixels relative to the active pixels, and fails to suggest any dummy pixel structuring or profile different from that of the active pixel. It is the examiner's opinion that the specific changes in the profile of the dummy pixel or the specific disposition of the dummy pixels relative to the active pixels were provided in the present application for the purpose of promoting uniformity between active OEL pixel organic layers, and thus are both critical and unobvious over the prior art.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

7. Applicant's arguments filed 9/9/03 with respect to claim 17 have been fully considered, but they are not persuasive. The applicant argues essentially that Dingwall does not teach the limitations of claim 17. It is somewhat unclear from the arguments exactly what components the applicant considers to be missing in Dingwall. These arguments are not persuasive, because Dingwall discloses an OLED pixel, which is defined in the Dingwall patent as a 'dummy pixel' (see column 4, lines 58-59). Since the dummy pixel is described as an OLED pixel and has the capability of emitting light (see column 5, lines 45-57), it is considered to have a structure equivalent to the OLED structure of figure 1, and thus, clearly has an organic EL layer disposed on an electrode. The reference pixel is not merely provided in a corner of the display, as the

applicant asserts, but rather, is provided on the end of each column (figure 2), and thus is 'around' a region of active pixels (P480 in each column). Also, the specific function of the "dummy pixel" is not considered critical in this case, because a "dummy region" is a generic term, and the applicant did not provide a specific definition as to what is to be considered a "dummy pixel."

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer M. Dolan whose telephone number is (703) 305-3233. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl W. Whitehead, Jr. can be reached on (703) 308-4940. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Jennifer M. Dolan
Examiner
Art Unit 2813

jmd

ERIK J. KIELIN
PRIMARY EXAMINER